

## **REMARKS**

Claims 1-12 are pending in this application. By this Amendment, claims 1, 2, 4 and 11 are amended and claim 3 is canceled. No new matter is added.

### **Personal Interview**

Applicants thank the Examiner for the courtesies extended during an August 6, 2003, personal interview with Applicants' undersigned representative, during which rejections similar to the outstanding rejections of record were discussed. The remainder of Applicants' separate record of the interview is contained in the remarks that follow.

### **Objection to the Specification**

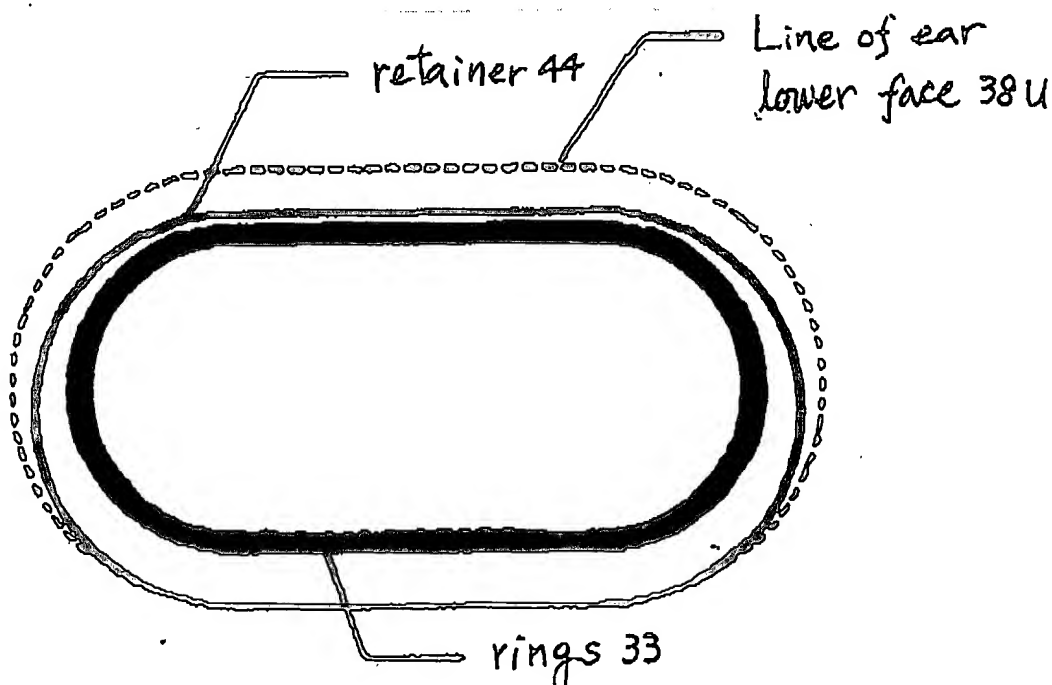
The Office Action objects to the specification because it is asserted that it is not clear how the clearance described on page 11 of the specification is formed between the outer peripheral surface of the ring assemblies. Applicants traverse this objection.

In particular, Applicants respectfully submit that one of skill in the art would understand that the endless resilient member will inherently have some rigidity. Thus, with the inner most peripheral surface of the endless resilient member being larger than the outer most peripheral surface of the belts, a clearance will be formed between the resilient member and the belts.

Although it is possible that, due to gravity, the highest point in the inner most surface of the resilient member will contact the highest point in the inner most surface of the belts, the remaining portions of the surfaces will be spaced due to any rigidity of the resilient members, as well as due to gravity. A comparison could be made to a pair of

belts for pants, one with a larger waist size than the other. If the belts were to buckled and then suspended in a "wheel-shape" with the shorter belt inside the larger belt, although the belts would be in contact at the highest point, the remainder of the belts would be separated by a clearance.

In the static condition of the belt, the retainer 44 tends to be moved or fall downwardly due to gravity. However, at a lower portion of the retainer 44, it is supported by the lower face 38U of ear 37 of the metal element 32 so that it can be held in place (see the illustration below). It may be assumed that if the circumferential length of the retainer is short, it cannot be placed in contact with the lower face 38U of ear 37 at the lower portion of retainer 44. However, if the length of the retainer 44 is set such that the clearances  $\alpha$  and  $\beta$  as shown in Fig. 3 of the application should be 0.10mm and 0.05mm as described in page 12 of the text, the intended clearance as defined in claims on file can be assured, due to certain rigidity of the retainer.



Thus, it is respectfully submitted that one of skill in the art would readily understand what is meant by the clearance described on page 11 of the present specification. Reconsideration and withdrawal of the objection to the specification are thus respectfully requested.

### **Section 112 Rejection**

The Office Action rejects claims 3-10 and 12 under 35 U.S.C. 112, first paragraph, as containing subject matter not sufficiently described in the specification. In particular, the Office Action asserts that it is not clear how the clearance is obtained. Applicants traverse this rejection. In particular, Applicants respectfully submit that this rejection is overcome for the reasons discussed above with respect to the objection to the specification. Reconsideration and withdrawal of the claims 3-10 and 12 under 35 U.S.C. 112, first paragraph, are thus respectfully requested.

### **Section 102 and 103 Rejections**

Claim 1 is rejected under 35 U.S.C 103(a) as being obvious over Lecouturier et al. (U.S. Patent No. 5,123,879) in view of Sekine et al. (U.S. Patent No. 5,123,880). Applicants respectfully submit that this rejection is rendered moot with the above amendment to claim 1. In particular, previous claim 3 was not rejected over Lecouturier et al. in view of Sekine et al. As the subject matter of previous claim 3 has been incorporated into claim 1 in the above amendments, the rejection of claim 1 is thus rendered moot. Reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C 103(a) are thus respectfully requested.

The Office Action also rejects claims 2 and 11 under 35 U.S.C 102(b) as being anticipated by Sekine et al. (U.S. Patent No. 5,123,880). This rejection is traversed as it may apply to amended claims 2 and 11.

In Sekine et al., the outermost peripheral suffix assembly 15 is immediately adjacent the innermost peripheral surface of the assembly 30. Thus the outermost assembly and the innermost assemblies must have substantially the same peripheral lengths. Thus, Sekine et al. is clearly different from the embodiments of present claims 2 and 11.

In particular, as was agreed during the August 6, 2003, personal interview, amending present claim 2 (and claim 11) to include that the inner peripheral surface of the innermost resilient member is longer than the outer peripheral of the outermost metal assembly would clearly distinguish these claims from Sekine et al. and thus overcome the rejection under 35 U.S.C 102(b). Applicants have made these amendments to claims 2 and 11 in the above amendments. Thus, reconsideration and withdrawal of the rejection of claims 2 and 11 under 35 U.S.C 102(b) are respectfully requested.

### **Conclusion**

Applicants respectfully submit that this application is in condition for allowance and such action is earnestly solicited. If the Examiner believes that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone

number listed below to schedule a personal or telephone interview to discuss any remaining issues.

Please charge any fee deficiency or credit any overpayment to Deposit Account  
No. 01-2300, making reference to Attorney Docket No. 107348-00137.

Respectfully submitted,

A handwritten signature in black ink, reading "Robert K. Carpenter". The signature is written in a cursive, flowing style. The first name "Robert" is written with a large, prominent "R". The last name "Carpenter" is written with a large, prominent "C". The signature is positioned above a horizontal line.

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